

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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CLOSE-UP INTERNATIONAL, INC. :  
: Plaintiff, : Civil Action No. 10-CV-0404  
: :  
- against - :  
JOSEPH BEROV, 3052 WEST 21<sup>st</sup> STREET, LLC, :  
TACONIC INVESTMENT PARTNERS, LLC, :  
TACONIC BOARDWALK PRINCIPALS, LLC, :  
CONEY CHILDS LENDER, LLC, CONEY ISLAND :  
HOLDINGS, LLC and CHILDS ASSOCIATES, LLC, :  
: Defendants.  
:  
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WHEREAS, Plaintiff filed its Complaint in this action on February 10, 2010;

WHEREAS, Plaintiff filed a Notice of Pendency encumbering the real property subject to this action, identified as 3052 West 21<sup>st</sup> Street, Brooklyn, New York 11224, Block 7071, Lot 130, on or about April 5, 2010 with the Clerk of Kings County;

WHEREAS, the Court granted Defendants' Motion to Dismiss in full on March 18, 2011, and judgment was issued in favor of Defendants on March 21, 2011;

WHEREAS, Plaintiff has not appealed the judgment and its time to do so has since expired;

**NOW THEREFORE, IT IS HEREBY ORDERED** that the notice of pendency filed by Plaintiff, indexed as 10CV0404 in Kings County, State of New York, is hereby canceled, and Defendants are directed to serve a copy of this order upon the Clerk of Kings County, who is directed to cancel said notice of pendency.

**SO ORDERED:** 2/10/12

s/ BMC

Hon. Brian M. Cogan